

IOWA DISTRICT COURT, FIFTH JUDICIAL DISTRICT

IN RE: THE MATTER OF CRIMINAL
CASE PROCESSING OF CERTAIN
JUVENILES

ADMINISTRATIVE ORDER 2011-14

On July 16, 1998, the Court entered Administrative Order No. 1997-23 detailing the procedures for law enforcement agencies and court personnel to follow when processing juveniles excluded from Juvenile Court jurisdiction under 232.8(1)(c)*. Since the entry of Administrative Order No. 1997-23, the Polk County Jail has moved from downtown Des Moines to 1985 NE 51st Place, Des Moines, IA. The Polk County Sheriff has an agreement with Polk County Youth Services to house juveniles charged in adult court in the Polk County Detention Center.

The Court finds that Administrative Order 1997-23 should be modified.

IT IS THE ORDER OF THE COURT that when a law enforcement agency makes an arrest of a sixteen or seventeen year old juvenile excluded from Juvenile court jurisdiction pursuant to 232.8(1)(c) and the arrest is made ***during regular court hours***, the juvenile shall be transported by the arresting agency to Room 202A of the Polk County Courthouse for an initial appearance. Unless the juvenile posts bond immediately following an initial appearance, the Polk County Sheriff shall transport the juvenile to jail for booking.

IT IS FURTHER ORDERED that when a law enforcement agency makes an arrest of a sixteen or seventeen year old juvenile excluded from Juvenile Court jurisdiction pursuant to 232.8(1)(c) and the arrest is made ***outside regular court hours***, the juvenile shall be transported by the arresting agency to the Centralized Intake Center at the Polk County Juvenile Detention Center located at 1548 Hull, Des Moines, IA, for detention until the next regularly scheduled session of court in the jail courtroom of the Polk County Jail at 1985 NE 51st Place, Des Moines, IA. The arresting agency shall transport the juvenile from the Polk County Juvenile Detention Center to the jail courtroom for an initial appearance when the jail courtroom is in session. The

Polk County Sheriff shall be responsible for transportation after the juvenile's initial appearance in the jail courtroom.

These procedures shall be in effect beginning April 11, 2011 and shall remain in effect until further order of the court.

SO ORDERED this 14th day of April, 2011.


ARTHUR E. GAMBLE, Chief Judge
Fifth Judicial District of Iowa

* Chapter 232.8(1)(c) of the Iowa code allows for the direct filing of juveniles to Adult Court under the following situations:

- A. Violation of 124.401 Possession of controlled substance with the Intent to Manufacture or Deliver **and** has a gun or offensive weapon.
- B. Violation of 723A.2 Criminal Gang Participation **and** a weapons violation under Chapter 724.
- C. Felony violations of Chapter 724 Weapons.
- D. Forcible Felonies.

Copies to:

All Polk County District & District Associate Judges
All Polk County Area Law Enforcement Agencies
John Sarcone, Polk County Attorney
Marilyn Lantz, Chief Juvenile Court Officer
William McCarthy, Polk County Sheriff
Elizabeth Baldwin, District Court Administrator
Randy Osborn, Polk County Clerk of Court
Brian Boyer, Director of Community, Family & Youth Services

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CLERK DISTRICT COURT